

U.S. DISTRICT COURT  
N.D. OF N.Y.  
FILED  
APR 18 2017  
LAWRENCE K. BAERMAN  
CLERK  
SURETIES OF THE PEACE<sup>2</sup>

**UNITED STATES DISTRICT COURT FOR  
THE NORTHERN DISTRICT OF NEW YORK**

• 445 Broadway; Albany, NY. 12207-2900

**Unified United States Common Law Grand Jury;**<sup>1</sup>  
P.O. Box 59, Valhalla, NY 10595; Fax: (888) 891-8977.

AL, AK, AZ, AR, CA, CO, CT, DE, FL, GA, HI, IL, IN, IA, KS, KY, LA, ME, MD, MA, MI, MN, MS, MO, MT, NE, NV, NH, NJ, NM, NY, NC, ND, OH, OK, OR, PA, RI, SC, SD, TN, TX, UT, VT, VA, WA, WV, WI, WY:

Grand Jury, Sovereigns of the Court  
**We the People**

- Against -

Lawrence K Baerman, Clerk of Court  
Defendant

Jurisdiction: Court of Record, under  
the rules of Common Law<sup>3</sup>  
Action at law:<sup>4</sup> (see form 7 attached)

Case NO: 1:16-CV-1490  
Magistrate: Daniel J. Stewart

**DEFAULT**

### **Default Judgment**

**We the People** move the court for a default judgment against Lawrence K Baerman, Clerk of Court.

I, Grand Jury Foreman, having firsthand knowledge of the following facts, do hereby swear under seal that the following facts are true, correct and not misleading:

<sup>1</sup> **The UUSCLGJ** is comprised of fifty Grand Juries each unified amongst the counties within their respective States. All fifty States have unified nationally as an assembly of Thousands of People in the name of We the People to suppress, through our Courts of Justice, subverts both foreign and domestic acting under color of law within our governments. States were unified by re-constituting all 3,133 United States counties.

<sup>2</sup> **SURETIES OF THE PEACE:** If anyone has been dispossessed without the legal judgment of his peers, from his lands, castles, franchises, or from his right, we will immediately restore them to him; and if a dispute arise over this, then let it be decided by the five and twenty jurors of whom mention is made below in the clause for securing the peace. Moreover, for all those possessions, from which anyone has, without the lawful judgment of his peers, been disseized or removed by our government, we will immediately grant full justice therein. Magna Carta Paragraph 52.

<sup>3</sup> **"A Court of Record** is a judicial tribunal having attributes and exercising functions independently of the person of the magistrate designated generally to hold it, and proceeding according to the course of common law, its acts and proceedings being enrolled for a perpetual memorial." Jones v. Jones, 188 Mo.App. 220, 175 S.W. 227, 229; Ex parte Gladhill, 8 Metc. Mass., 171, per Shaw, C.J. See, also, Ledwith v. Rosalsky, 244 N.Y. 406, 155 N.E. 688, 689.

<sup>4</sup> **AT LAW:** Bouvier's This phrase is used to point out that a thing is to be done according to the course of the common law; it is distinguished from a proceeding in equity.

That, on December 14, 2016 ~~We~~ the People filed papers in the above Article III court thereby opening a court of record. See Common Law Cover Sheet, attached.

Whereas the clerk demanded \$400 for justice, we then served upon the clerk a "File on Demand under penalty of law" and the clerk still insisted on \$400 for justice and National Liberty Alliance on behalf of the Grand Jury paid the \$400 extortion in order to file. See File on Demand, attached.

That, on January 9, 2017 the Grand Jury severed and filed a Show Cause upon Defendant Lawrence K Baerman. See show cause, attached.

**WHEREAS:** on March 13, 2017 (62 days), defendant, Lawrence K Baerman defaulted; the record shows that the defendant made no Return; the defendant did not request more time to answer; neither did the defendant provided any objection to the proceedings; and,

**THEREBY:** the law requires the court be moved for a default judgment. The court is to order the defendant, Lawrence K Baerman to return the \$400 immediately. And this incident will be brought before the Grand Jury for consideration.

**Default Judgment - Entering a Default:** *"When a party against whom a judgment for affirmative relief is sought has failed to plead or otherwise defend; and, that failure is shown by Affidavit or otherwise [under seal], the clerk must enter the party's default."* FRCP Rule 55(a); FRCP Rule 58(b) (2); 28 U.S.C. §2243.

SEAL

DATED: April 17, 2017



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Grand Jury Foreman

# Common Law CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

## I. (a) PLAINTIFFS

Unified Common Law Grand Jury

(b) County of Residence of First Listed Plaintiff Westchester  
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

USSL Grand Jury  
PO Box 59  
Valhalla, N.Y. 10595

## DEFENDANTS

US Congress, US Supreme Court, 50 Governors  
President elect D. Trump, et al  
County of Residence of First Listed Defendant Washington DC  
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

## II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☒ 1 U.S. Government Plaintiff  
☐ 2 U.S. Government Defendant  
☐ 3 Federal Question (U.S. Government Not a Party)  
☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

## III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- |   |                                       |                                       |   |                            |                            |
|---|---------------------------------------|---------------------------------------|---|----------------------------|----------------------------|
| Citizen of This State                   | <input checked="" type="checkbox"/> 1 | <input checked="" type="checkbox"/> 1 | Incorporated or Principal Place of Business in This State     | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State                | <input type="checkbox"/> 2            | <input checked="" type="checkbox"/> 2 | Incorporated and Principal Place of Business in Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3            | <input type="checkbox"/> 3            | Foreign Nation  | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

## IV. NATURE OF SUIT (Place an "X" in One Box Only)

<b>CONTRACT</b> <input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	<b>PERSONAL INJURY</b> <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input checked="" type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	<b>PERSONAL INJURY</b> <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability <b>PERSONAL PROPERTY</b> <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<b>REAL ESTATE/PROPERTY</b> <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other	<b>PROPERTY RIGHTS</b> <input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark	<b>OTHER RIGHTS</b> <input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Arbitration <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deposition <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
<b>REAL PROPERTY</b> <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<b>CIVIL RIGHTS</b> <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	<b>PRISONER PETITIONS</b> <input type="checkbox"/> Habeas Corpus <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> Other: <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement	<b>LABOR</b> <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act	<b>ADJUDICATION</b> <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g))	<b>FEDERAL TAX SUITS</b> <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS - Third Party 26 USC 7609

## V. ORIGIN (Place an "X" in One Box Only)

- ☒ 1 Original Proceeding  
☐ 2 Removed from State Court  
☐ 3 Remanded from Appellate Court  
☐ 4 Reinstated or Reopened  
☐ 5 Transferred from Another District (specify)  
☐ 6 Multidistrict Litigation - Transfer  
☐ 8 Multidistrict Litigation - Direct File

## VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):  
Constitution for the U.S. of America: Bill of Rights Violation Numerous Violations  
 Brief description of cause:

## VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

DEMAND \$

CHECK YES only if demanded in complaint:

JURY DEMAND: ☐ Yes ☐ No

## VIII. RELATED CASE(S) IF ANY

(See instructions)

JUDGE

DOCKET NUMBER 1:16-CV-1490

DATE

12-14-16

FOR OFFICE USE ONLY

SIGNATURE OF ATTORNEY OF RECORD

RECEIPT #

AMOUNT

APPLYING IFP

JUDGE

MAG. JUDGE

U.S. DISTRICT COURT  
N.D. OF N.Y.  
FILED  
DEC 1 1992  
ALAB. AR. AZ. CA. CO. CT. DE. FL. GA. HI. IL. IN. IA. KS. KY. LA. ME. MD. MA. MI. MN. MO. MT. NE. NY. NH. NJ. NM. NV. NC. ND. OH. OK. OR. PA. RI. SC. SD. TN. TX. UT. VT. VA. WA. WI. WY.

# United States<sup>1</sup> Common Law Grand Jury:<sup>2</sup>

Box 59; Valhalla New York 10595; • Fax: (888) 891-8977; • E-Mail: United States@ucigj.org  
"Justice and Judgment are the inhabitation of thy throne: mercy and truth shall go before thy face." - Psa 89:14<sup>3</sup>

LAWRENCE K. BAERMAN, CLERK  
ALBANY

**WRIT MANDAMUS**

**CORAM NOBIS<sup>4</sup>**

## **FILE ON DEMAND UNDER PENALTY OF LAW**

Attention Clerk;

You are directed to file the attached document UNDER PENALTY OF LAW unimpeded as required by law without charge and **MAIL A TIME STAMPED COPY W/CASE NO OF THE FRONT PAGE ATTACHED IN SELF ADDRESS STAMPED ENVELOPE**. THIS IS A COMMON LAW PROCEDURE AND THEREFORE NOT HELD UNDER STATUTORY REQUIREMENTS

**Rule 4 FEDERAL RULES OF CIVIL PROCEDURE 2(b) ISSUANCE.** On or after filing the complaint, the plaintiff may present a summons to the clerk for signature and seal. If the summons is properly completed, the clerk must sign, seal, and issue it to the plaintiff for service on the defendant. A summons—or a copy of a summons that is addressed to multiple defendants—must be issued for each defendant to be served.

**18 USC §2076** Whoever, being a clerk willfully refuses or neglects to make or forward any report, certificate, statement, or document as required by law, shall be fined under this title or imprisoned not more than one year, or both. **18 USC §1512(b):** Whoever obstructs or impedes any official proceeding shall be fined under this title or imprisoned not more than 20 years, or both.

**American Jurisprudence Constitutional Law §326 "Free Justice and Open Courts:** Remedy for All Injuries.- In most of the state Constitutions there are provisions, varying slightly in terms, which stipulate that justice shall be administered to all without delay or denial, without sale or prejudice, and that the courts shall always be open to all alike. These provisions are based largely upon the Magna Charta, chap. 40, which provides; "We will sell to no man. We will not deny to any man either justice or right." The chief purpose of the Magna Charta provision was to prohibit the King from selling justice by imposing fees on litigants through his courts and to deal a death blow to the attendant venal and disgraceful practices of a corrupt judiciary in demanding oppressive gratuities for giving or withholding decisions in pending causes. It has been appropriately said that in a free government the doors of litigation are already wide open and must constantly remain so. The extent of the constitutional provision has been regarded as broader than the original confines of Magna Charta, and such constitutional provision has been held to prohibit the selling of justice not merely by magistrates but by the State itself."

"Plaintiff should not be charged fees, or costs for the lawful and constitutional right to petition this court in this matter in which he is entitled to relief, as it appears that the filing fee rule was originally implemented for fictions and subjects of the State and should not be applied to the plaintiff who is a natural individual and entitled to relief." **Hale v. Henkel (201 U.S. 43)**

## **CRIME TO INTERCEPT OR CONCEAL**

<sup>1</sup> The UUSCLGJ is comprised of fifty Grand Jurys each unified amongst the counties within their respective States. All fifty States have unified nationally as an assembly of 1000's of People in the name of We the People to suppress through our Courts of Justice subverts both foreign and domestic acting under color of law within our governments.; States were unified by re-constituting all 3133 United States counties

<sup>2</sup> "The grand jury is an institution separate from the courts over whose functioning the courts do not preside... the grand jury is mentioned in the Bill of Rights, but not in the body of the Constitution. It has not been textually assigned, therefore, to any of the branches described in the first three (3) Articles. It is a constitutional fixture in its own right. In fact, the whole theory of its function is that it belongs to no branch of the institutional government, serving as a kind of buffer or referee between the Government and the people... The grand jury's functional independence from the judicial branch is evident, both in the scope of its power to investigate criminal wrongdoing, and in the manner in which that power is exercised. Unlike [a] [c]ourt, whose jurisdiction is predicated upon a specific case or controversy, the grand jury can investigate merely on suspicion that the law is being violated, or even because it wants assurance that it is not." United States v. John H. Williams; 112 S.Ct. 1735; 504 U.S. 36; 118 L.Ed.2d 352; 1992.

<sup>3</sup> "We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness.—That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed." Declaration of Independence; "We the people... ordained and establish this Constitution for the United States of America." U.S. Constitution;

<sup>4</sup> CORAM NOBIS. Before us ourselves, (the king's bench.) Applied to writs of error directed to another branch of the same court, e. g., from the full bench to the court at nisi prius. 1 Archb. Pr. K. B. 234.

**UNITED STATES DISTRICT COURT FOR  
THE NORTHERN DISTRICT OF NEW YORK**

• 445 Broadway, Albany, NY. 12207-2936 •

Unified United States Common Law Grand Jury;<sup>1</sup>

P.O. Box 59, Valhalla, NY 10595; Fax: (888) 891-8977.

Sureties of the Peace<sup>2</sup>

AL, AK, AZ, AR, CA, CO, CT, DE, FL, GA, HI, IL, IN, IA, KS, KY, LA, ME, MD, MA, MI, MN, MO, MT, NE, NV, NH, NJ, NM, NY, NC, ND, OH, OR, PA, RI, SC, SD, TN, TX, UT, VT, VA, WA, WV, WI, WY

Grand Jury, Sovereigns of the Court

We the People

- Against -

Lawrence K. Baerman, Clerk of Court

Defendant

Jurisdiction: Court of Record, under  
the rules of Common Law<sup>3</sup>  
Action at law:<sup>4</sup> (see form 7 attached)

Case NO: 1:16-CV-1490

Magistrate: Lawrence E. Kahn

**SHOW CAUSE**

On December 14, 2016 We the People filed papers in the above court opening a court of record<sup>5</sup> however, the clerk demanded \$400 in return for Justice. After notifying the clerk that this is a common law procedure and therefore not held under statutory requirements, we directed the clerk to file under penalty of law unimpeded as required by law under rule 4 and without charge under American Jurisprudence Constitutional Law §326. We notified

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<sup>2</sup> SURETIES OF THE PEACE: If anyone has been dispossessed without the legal judgment of his peers, from his lands, castles, franchises, or from his right, we will immediately restore them to him; and if a dispute arise over this, then let it be decided by the five and twenty jurors of whom mention is made below in the clause for securing the peace. Moreover, for all those possessions, from which anyone has, without the lawful judgment of his peers, been disseized or removed by our government, we will immediately grant full justice therein. Magna Carta Paragraph 52.

<sup>3</sup> "A Court of Record is a judicial tribunal having attributes and exercising functions independently of the person of the magistrate designated generally to hold it, and proceeding according to the course of common law, its acts and proceedings being enrolled for a perpetual memorial." Jones v. Jones, 188 Mo.App. 220, 175 S.W. 227, 229; Ex parte Gladhill, 8 Metc. Mass., 171, per Shaw, C.J. See, also, Ledwith v. Rosalsky, 244 N.Y. 406, 155 N.E. 688, 689.

<sup>4</sup> AT LAW: Bouvier's This phrase is used to point out that a thing is to be done according to the course of the common law; it is distinguished from a proceeding in equity.

<sup>5</sup> COURT OF RECORD: "A judicial tribunal having attributes and exercising functions independently of the person of the magistrate designated generally to hold it proceeding according to the course of common law." Jones v. Jones, 188 Mo.App. 220, 175 S.W. 227, 229; Ex parte Gladhill, 8 Metc. Mass., 171, per Shaw, C.J. See, also, Ledwith v. Rosalsky, 244 N.Y. 406, 155 N.E. 688, 689

the clerk of the consequences of 18 USC §2076 and 18 USC §1512(b) the clerk continued to insist that money should be given in exchange for Justice. See File on Demand attached.

20 We made it clear that we are People and not a fiction or subjects:

25 *"Plaintiff should not be charged fees, or costs for the lawful and constitutional right to petition this court in this matter in which he is entitled to relief, as it appears that the filing fee rule was originally implemented for fictions and subjects of the State and should not be applied to the plaintiff who is a natural individual and entitled to relief."* Hale v. Henkel)( 201 U.S. 43)

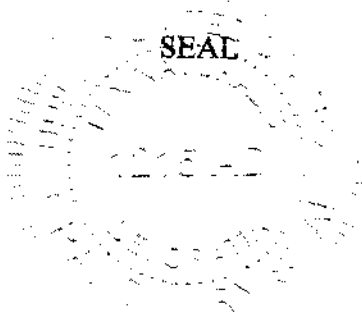
A system of justice is an institution for the redress of grievances. It can only command the respect of a society's members if they trust that it is an impartial, equal, transparent and principled system that gives effect to the rule of law.<sup>6</sup> These necessary qualities of any system of justice worthy of that name were revealed in the Magna Carta, that promised:

30 *"To no one will we sell, to no one will we deny or defer right or justice."*

**WHEREFORE,** We the People demand that Lawrence K. Baerman, Clerk of Court, show cause by what authority the clerk may charge for Justice?

Or, admit to their error, return the money, and we will forgo bringing the defendant before the Grand Jury for extortion.

35



**DATED:** January 9, 2017

Grand Jury Foreman

40

<sup>6</sup> Bremer Vulkan Schiffbau und Maschinenfabrik v South India Shipping Corporation Ltd [1981] AC 909 at 977 per Lord Diplock.  
Clerk of Court

APR 18 2017  
LAWRENCE M. BAERMAN, CLERK  
ALBANY

**UNITED STATES DISTRICT COURT FOR  
THE NORTHERN DISTRICT OF NEW YORK**

• 445 Broadway; Albany, NY 12207-2936 •

**Unified United States Common Law Grand Jury<sup>1</sup>**

**Sureties of the Peace<sup>2</sup>**

P.O. Box 59, Valhalla, NY 10595; Fax: (888) 891-8977.

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Grand Jury, Sovereigns of the Court  
**We the People**

- Against -

Governor A. Cuomo, et al  
(complete list attached to summons)

Defendants

Jurisdiction: Court of Record, under  
the rules of Common Law<sup>3</sup>

Case NO: 1:16-CV-1490

Magistrate: Daniel J. Stewart

**MEMORANDUM OF LAW IN  
SUPPORT OF THE COMMON LAW**

Before any court can have authority to hear a case, they must have both personam and subject matter jurisdiction. Any court not a court of record<sup>4</sup> has no authority to proceed without the consent of the persons involved. American courts are vested by **We the**

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<sup>3</sup> **"A Court of Record** is a judicial tribunal having attributes and exercising functions independently of the person of the magistrate designated generally to hold it, and proceeding according to the course of common law, its acts and proceedings being enrolled for a perpetual memorial." Jones v. Jones, 188 Mo.App. 220, 175 S.W. 227, 229; Ex parte Gladhill, 8 Metc. Mass., 171, per Shaw, C.J. See, also, Ledwith v. Rosalsky, 244 N.Y. 406, 155 N.E. 688, 689.

<sup>4</sup> **COURTS OF RECORD and COURTS NOT OF RECORD** - The former being those whose acts and judicial proceedings are enrolled, or recorded, for a perpetual memory and testimony, and which have power to fine or imprison for contempt. Error lies to their judgments, and they generally possess a seal. Courts not of record are those of inferior dignity, which have no power to fine or imprison, and in which the proceedings are not enrolled or recorded. 3 Bl. Comm. 24; 3 Steph. Comm. 383; The Thomas Fletcher, C.C.Ga., 24 F. 481; Ex parte Thistleton, 52 Cal 225; Erwin v. U.S., D.C.Ga., 37 F. 488, 2 L.R.A. 229; Heininger v. Davis, 96 Ohio St. 205, 117 N.E. 229, 231.

People, "the author and source of law"<sup>5</sup>, through constitutions<sup>6</sup> written by We the People and jury nullification. Therefore, a court must first have "constitutional authority" over an individual and in criminal cases a court must have an indictment by an untainted grand jury. Furthermore, "all" state laws and constitutions are ultimately governed by the  
20 "Supremacy Clause" of the Constitution for the United States of America as ordained by We the People in Article VI, clause 2, that defines the "Law of the Land" which renders "any Thing in the Constitution or Laws of any State to the Contrary notwithstanding" [null and void]. Whereas the judge/magistrate retains his authority in Article III common law courts "only during good behavior" as defined in Article III, Section 1 and 2. And, "No  
25 judicial process, whatever form it may assume, can have any lawful authority outside of the limits of the jurisdiction of the court or judge by whom it is issued; and an attempt to enforce it beyond these boundaries is nothing less than lawless violence"<sup>7</sup> and "that which the law requires to be done or forborne to a determinate person or the public at large, correlative to a vested and coextensive right in such person or the public, and the breach  
30 of which constitutes negligence."<sup>8</sup>

### THE LAW

The definition of Law is that which is laid down, ordained, or established. It is "a rule or method according to which phenomena or actions co-exist or follow each other and must be obeyed or be subject to sanctions or legal consequences."<sup>9</sup> In our Republic, Common  
35 Law is the Law of the Land by which We the People chose to be judged when we "assumed among the powers of the earth, the separate and equal station to which the Laws of Nature and of Nature's God entitle [us] them," We the People further declared that, "We hold these truths to be self-evident, that all men are created equal, that they are  
40 endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness.--That to secure these rights Governments are instituted among Men, deriving their just powers from the consent of the governed," obedience to the Constitution, is the extent of that consent and no judge and no congress can alter that which We the People ordained, to alter is high treason.

<sup>5</sup> "Sovereignty itself is, of course, not subject to law, for it is the author and source of law;" -- Yick Wo v. Hopkins, 118 US 356, 370.

<sup>6</sup> That which is laid down, ordained, or established. Koenig v. Flynn, 258 N.Y. 292, 179 N. E. 705.

<sup>7</sup> Ableman v. Booth, 21 Howard 506 (1859).

<sup>8</sup> Railroad Co. v. Ballentine, C.C.A.111., 84 F. 935, 28 C.C.A. 572; Toadvine v. Cincinnati, N. O. & T. P. Ry. Co., D.C.Ky., 20 F.Supp. 226, 227.

<sup>9</sup> Koenig v. Flynn, 258 N.Y. 292, 179 N. E. 705.



45 "With reference to its origin, "law" is derived either from (1) judicial precedents, from (2) legislation, or (3) from custom<sup>10</sup>." Black's Law Dictionary 4<sup>th</sup> Edition compiles and defines a complete collection of Terms and Phrases of American and English Jurisprudence, ancient and modern, listing Fifty-One different categories of law, they are categorized under the aforesaid three (3) derivatives as follows:

50

#### (1) LAW FROM JUDICIAL PRECEDENTS

<b>Adjective Law</b> - The collective of rules of procedure or practice	<b>Equity Law</b> - this term denotes the spirit and the habit of fairness, justness, and right dealing which would regulate the intercourse of men with men.
<b>Case Law</b> - The aggregate of reported cases as forming a body of jurisprudence	<b>Unwritten Law</b> - All that portion of the law, observed and administered in the courts, which has not been enacted or promulgated.

#### (2a) LAW FROM LEGISLATION

<b>Mercantile Law</b> - An expression substantially equivalent to the law-merchant or commercial law;	<b>Civil Law</b> - A personal action which is instituted to compel payment, or the doing of some other thing which is purely civil
<b>Bankrupt Law</b> - A law for benefit and relief of creditors and their debtors	<b>Probate Law</b> - Originally, relating to proof; afterwards, relating to the proof of wills

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#### (2b) LAW FROM LEGISLATION

Apply only to government agents ...

<b>Administrative Law</b> - That branch of public law which deals with the various organs of the sovereign power considered as in motion (regulation of the military and naval forces, citizenship and naturalization)	<b>Maritime Law</b> - That system of law which particularly relates to commerce and navigation, to business transacted at sea or relating to navigation, to ships and shipping, to seamen, to the transportation of persons and property by sea, and to marine affairs generally.
<b>Admiralty Law</b> - An action directed against the particular person who is to be charged with the liability	<b>Penal Laws</b> - Statutes which prohibit an act and impose a penalty for the commission of it.
<b>Arms, Law of</b> - That law which gives precepts and rules concerning war	<b>Prospective Law</b> - One applicable only to cases which shall arise after its enactment.
<b>Commercial Law</b> - the term has come to be used occasionally as synonymous with "maritime law;"	<b>Public Law</b> - That branch or department of law which is concerned with the state in its political or sovereign capacity, including constitutional and administrative law, and with the definition, regulation, and enforcement of rights in cases where the state is regarded as the subject of the right or object of the duty
<b>Criminal Law</b> - the term may denote the laws which define and prohibit the various species of crimes and establish their punishments	<b>Revenue Law</b> - Any law which provides for the assessment and collection of a tax to defray the expenses of the government.
<b>Flag, Law of</b> - In maritime law, the law of that nation or country whose flag is flown by a particular vessel.	<b>Statutory Law</b> - An act of the legislature declaring, commanding, or prohibiting something enacted and established by the will of the legislative department of government;
<b>International Law</b> - The law which regulates the intercourse of nations; the law of nations.	
<b>Military Law</b> - A system of regulations for the government of an army.	
<b>Municipal Law</b> - Not the law of a city only but the law of the state.	
<b>Local Law</b> - A law which is special as to place.	

#### (2c) LAW FROM LEGISLATION

The following have no jurisdiction in the United States of America ...

<b>Canon Law</b> - A body of ecclesiastical jurisprudence	<b>Parliamentary Law</b> - The general body of enacted rules and recognized usages which governs the procedure of legislative assemblies and other deliberative bodies.
<b>Citations, Law of</b> - In Roman law. An act of Valentinian, passed A. D. 426	<b>Personal Law</b> - As opposed to territorial law, is the law applicable to persons not subject to the law of the territory in which they reside.
<b>Ecclesiastical Law</b> - The body of jurisprudence administered by the ecclesiastical courts of England; derived, in large measure, from the canon and civil law	<b>Remedial Statute</b> - One that intends to afford a private remedy to a person injured by the wrongful act.
<b>Enabling Statute</b> - The phrase is also applied to any statute enabling persons or corporations to do what before they could not. It is applied to statutes which confer new powers	<b>Retrospective Law</b> - Every statute which takes away or impairs vested rights acquired under existing laws, or creates a new obligation, imposes a new duty, or attaches a new disability in respect to transactions or considerations already past.
<b>Foreign Laws</b> - The laws of a foreign country, or of a sister state.	<b>Roman Law</b> - In a general sense, comprehends all the laws which prevailed among the Romans, without regard to the time of their origin, including the
<b>Forest Law</b> - The system or body of old law relating to the royal forests.	
<b>Marque, Law of</b> - A sort of law of reprisal, which entitles him who has received any wrong from another and cannot get ordinary justice to take the shipping or goods of the wrong-doer, where he can find them within his own bounds or precincts, in satisfaction of the wrong.	

<sup>10</sup> Sweet

**Martial Law** - Exists when military authorities carry on government or exercise various degrees of control over civilians or civilian authorities in domestic territory.

**Oleron, Laws of** - A code of maritime laws published at the island of Oleron in the twelfth century by Eleanor of Guienne.

**Organic Law** - The fundamental law, or constitution, of a state or nation, written or unwritten; that law or system of laws or principles which defines and establishes the organization of its government.

collections of Justinian

**Special Law** - One operating upon a selected class, rather than upon the public generally.

**Substantive Law** - That part of law which creates, defines, and regulates rights, as opposed to "adjective or remedial law," which prescribes method of enforcing the rights or obtaining redress for their invasion.

### (3) LAW FROM CUSTOM

**Absolute Law** - The true and proper law of nature

**Common Law** - As distinguished from law created by the enactment of legislatures

**Constitutional Law** - the fundamental principles which are to regulate the relations of government

**Custom Law** - Customs are general, local or particular, general customs are such as prevail throughout a country and become the law of that country

**Moral Law** - The law of conscience; the aggregate of those rules and principles, of ethics which relate to right and wrong conduct and prescribe the standards to which the actions of men should conform in their dealings with each other.

**Natural Law** - [Lex Naturale] the law of nature [Jus Naturale] it is absolute law, the true and proper law of nature a/k/a "common law as distinguished from law created by the enactment of legislatures.

**Positive Law** - Law actually and specifically enacted or adopted by proper authority for the government of an organized jural society.

**Private Law** - the term means all that part of the law which is administered between citizen and citizen, or which is concerned with the definition, regulation, and enforcement of rights in cases where both the person in whom the right inheres and the person upon whom the obligation is incident are private individuals.

### LAW OF THE LAND

65 Article III established Common Law, Equity Law, Admiralty Law and Maritime Law<sup>11</sup>. Admiralty Law and Maritime Law are the law at sea whereas Common Law and Equity Law are the law of the land.

70 "**Equity and Justice** are substantially equivalent terms, if not synonymous."<sup>12</sup> "Under constitutional provision guaranteeing right to obtain justice, the justice to be administered by courts is not an abstract justice as conceived of by the judge but justice according to law or, as it is phrased in the constitution, "conformably to the laws."<sup>13</sup>

75 **Equity law** is the system of jurisprudence administered by the purely secular tribunals. In equity courts [contract courts], judges are to act under "American Jurisprudence" which is the philosophy of law, the knowledge of things divine and human, the science of what is right and what is wrong;<sup>14</sup> the constant and perpetual disposition to render every man his due.<sup>15</sup> It has no direct concern with questions of moral or political policy, for they fall

<sup>11</sup> Article III, Section 2: The judicial power shall extend to all cases, in law and equity, arising under this Constitution, the laws of the United States, and treaties made, or which shall be made, under their authority; — to all cases affecting ambassadors, other public ministers and consuls; — to all cases of admiralty and maritime jurisdiction; — to controversies to which the United States shall be a party; - to controversies between two or more states; - between a state and citizens of another state;— between citizens of different states; - between citizens of the same state claiming lands under grants of different states, and between a state, or the citizens thereof, and foreign states, citizens or subjects.

<sup>12</sup> In re Lessig's Estate, 6 N.Y.S.2d 720, 721, 168 Misc. 889.

<sup>13</sup> State ex rel. Department of Agriculture v. McCarthy, 238 Wis. 258, 299 N.W. 58, 64.

<sup>14</sup> Dig. 1, 1, 10, 2; Inst. 1, 1, 1. This definition is adopted by Bracton, word for word. Bract. fol. 3.

<sup>15</sup> Inst. 1, 1, pr.; 2 Inst. 56. See Borden v. State, 11 Ark. 528, 44 Am.Dec. 217; Collier v. Lindley, 203 Cal. 641, 266 P. 526, 530; The John E. Mulford, D.C. N.Y., 18 F. 455.

under the province of ethics and legislation.<sup>16</sup> They are to meet out Justice which in the most extensive sense of the word differs little from virtue;<sup>17</sup> for it includes within itself the whole circle of virtues. Justice, being in itself a part of virtue, is confined to things simply good or evil, and consists in a man's taking such a proportion of them as he ought."<sup>18</sup>

**The law** of nature [*Jus Naturale*] is Natural law [*Lex Naturale*]; it is absolute law, the true and proper law of nature<sup>19</sup> a/k/a "common law as distinguished from law created by the enactment of legislatures. Common Law is the use of legal principles to discover by the light of nature or abstract reasoning comprised of the body of those principles and rules of action, relating to the government and security of persons and property, which derive their authority solely from usages and customs of ancient antiquity."<sup>20</sup>

"The Supreme Court shall have appellate jurisdiction, both as to law and fact..."<sup>21</sup> in all "cases in equity" thereby becoming the final arbitrator and maker of case law, governed by American Jurisprudence<sup>22</sup> under the rules of Common Law; The Supreme Court has NO APPELLATE authority over cases "in Law" a/k/a Jury trials with the one exception of protecting an individual if an unalienable right of the same is violated. Federal District Court Judges, when hearing a "case in equity" are governed by American Jurisprudence and case law under the rules of Common Law. In cases "in Law" Judges or Magistrates take on an administrative role, with no summary judgement powers, whereas the Jury, a/k/a Tribunal of 12 People, is the final arbitrator deciding the facts, law and remedy with the power of nullification and mercy. This is called a "court of record" from which there is no appeal, as we read:

*"The decisions of a superior court may only be challenged in a court of appeal. The decisions of an inferior court are subject to collateral attack. In other words, in a superior court one may sue an inferior court directly, rather than resort to appeal to an appellate court. Decision of a court of record may not be appealed. It is binding on ALL other courts. However, no statutory or constitutional court (whether it be an appellate or Supreme Court) can second guess the judgment of a court of record. "The judgment of a court of record, whose jurisdiction is final, is as conclusive on all the world as the judgment of this court would be. It is as conclusive on this court as it is on other courts. It puts an end to inquiry concerning the fact, by deciding it." -- Ex parte Watkins, 3 Pet., at 202-203 cited by SCHNECKLOTH v. BUSTAMONTE, 412 U.S. 218, 255 (1973).*

<sup>16</sup> Sweet.

<sup>17</sup> Luke 6:19 "And the whole multitude sought to touch him [Jesus]: for there went virtue out of him, and healed them all."

<sup>18</sup> Bouvier.

<sup>19</sup> 1 Steph.Comm. 21 et seq.

<sup>20</sup> 1 Kent, Comm. 492. Western Union Tel. Co. v. Call Pub. Co., 21 S.Ct. 561, 181 U.S. 92, 45 L.Ed. 765; Barry v. Port Jervis, 72 N.Y.S. 104, 64 App. Div. 268; U. S. v. Miller, D.C.Wash., 236 F. 798, 800.

<sup>21</sup> Article III Section 2, Clause 2.

<sup>22</sup> **JURISPRUDENCE:** The science of the law. By science here, is understood that collection of truths which is founded on principles either evident in themselves, or capable of demonstration; a collection of truths of the same kind, arranged in methodical order. In a more confined sense, jurisprudence is the practical science of giving a wise interpretation to the laws, and making a just application of them to all cases as they arise. In this sense, it is the habit of judging the same questions in the same manner, and by this course of judgments forming precedents. 1 Ayl. Pand. 3 Toull. Dr. Civ. Fr. tit. prel. s. 1, n. 1, 12, 99; Merl. Rep. h. t.; 19 Amer. Jurist, 3.

## THE AUTHOR OF LAW

110 God is the author of Common Law, which He wrote in the hearts of men, thereby giving  
We the People both the knowledge of right and wrong and the unalienable right of We the  
People to judge each other through tribunals called Juries. We the People ordained  
Common Law in Amendment VII and Congress clearly followed suit and established it  
through 28 USC §132.

115 We the Sovereign People ordained and established the Constitution<sup>23</sup> which is the law of  
the land<sup>24</sup> to be obeyed by all elected, appointed and hired servants. We the People vested  
Congress with certain law making powers in Article I Section 8 among which we gave  
“NO LEGISLATED POWERS” to write ordinances, regulations, codes or statutes that  
would control the behavior of We the People or apply any set punishment upon We the  
People. That authority belongs to the People.<sup>25</sup>

120 *“The very meaning of 'sovereignty' is that the decree of the sovereign makes  
law.”<sup>26</sup> “A consequence of this prerogative is the legal ubiquity of the king  
[Nature’s God]. His majesty in the eye of the law is always present in all his  
courts, though he cannot personally distribute justice.”<sup>27</sup> “His judges [juries]  
are the mirror by which the king's image is reflected.”<sup>28</sup>*

125 Unalienable rights come from Natures God and are not subject to alienation; the  
characteristic of those things which cannot be bought or sold or transferred from one  
person to another, such as certain personal rights; e. g., liberty. Inalienable; incapable of  
being aliened, that is, sold and transferred.<sup>29</sup> Rights are defined generally as “powers of  
free action, not subject to legal constraint of another, being unconstrained, having power to

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<sup>23</sup> We the people of the United States, in order to form a more perfect union, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America.

<sup>24</sup> **Article VI, Clause 2:** This Constitution, and the laws of the United States which shall be made in pursuance thereof; and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land; and the judges in every state shall be bound thereby, anything in the Constitution or laws of any State to the contrary notwithstanding.

<sup>25</sup> “Sovereignty itself is, of course, not subject to law, for it is the author and source of law;” -- *Yick Wo v. Hopkins*, 118 US 356, 370.

<sup>26</sup> *American Banana Co. v. United Fruit Co.*, 29 S.Ct. 511, 513, 213 U.S. 347, 53 L.Ed. 826, 19 Ann.Cas. 1047.

<sup>27</sup> Fortesc.c.8. 2Inst.186.

<sup>28</sup> 1 Blackstone's Commentaries, 270, Chapter 7, Section 379.

<sup>29</sup> Black's 4<sup>th</sup>

130 follow the dictates of one's own will, not subject to the dominion of another and not compelled to involuntary servitude.<sup>30</sup> Any statute that violates rights is null and void.

*"We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights that among these are Life, Liberty and the pursuit of Happiness."*<sup>31</sup>

135 **STATUTES, CODES & REGULATIONS**

Congress was empowered under Article I Section 8. Clause 18: *To make all laws which shall be necessary and proper for carrying into execution the foregoing [17] powers, and all other powers vested by this Constitution in the government of the United States, or in any department or officer thereof.*

140 *"Under our system of government upon the individuality and intelligence of the citizen, the state does not claim to control him/her, except as his/her conduct to others, leaving him/her the sole judge as to all that affects himself/herself."*<sup>32</sup> *"There, every man is independent of all laws, except those prescribed by nature. He is not bound by any institutions formed by his fellowman without his consent."*<sup>33</sup> *"Statutes that violate the plain*  
145 *and obvious principles of common right and common reason are null and void."*<sup>34</sup> *"The assertion of federal rights, when plainly and reasonably made, is not to be defeated under the name of local practice."*<sup>35</sup> *"A State may not impose a charge for the enjoyment of a right granted by the Federal Constitution."*<sup>36</sup> *"The State cannot diminish rights of the people."*<sup>37</sup> *"The Claim and exercise of a Constitutional Right cannot be converted into a*  
150 *crime."*<sup>38</sup> *"If the state converts a liberty into a privilege the citizen can engage in the right with impunity"*<sup>39</sup> *"Laws are made for us; we are not made for the laws."*<sup>40</sup>

Statutes are legislated law but, "when a statute is passed in violation of law, that is, of the fundamental law or constitution of a state, it is the prerogative of courts to declare it void,

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<sup>30</sup> Black's 4<sup>th</sup>

<sup>31</sup> Declaration of Independence.

<sup>32</sup> *Mugler v. Kansas* 123 U.S. 623, 659-60.

<sup>33</sup> *Cruden v. Neale*, 2 N.C. 338 (1796) 2 S.E.

<sup>34</sup> *Bennett v. Boggs*, 1 Baldw 60.

<sup>35</sup> *Davis v. Wechsler*, 263 US 22, at 24.

<sup>36</sup> *Murdock v. Pennsylvania*, 319 U.S. 105, at 113.

<sup>37</sup> *Hertado v. California*, 110 U.S. 516.

<sup>38</sup> *Miller v. U.S.*, 230 F 2d 486. 489.

<sup>39</sup> *Shuttlesworth v Birmingham*, 373 USs 262.

<sup>40</sup> William Milonoff.

or, in other words, to declare it not to be law;<sup>41</sup> therefore, "an unconstitutional statute is not a law."<sup>42</sup> The phrase 'at Law' "is used to point out that a thing is to be done according to the course of the common law; it is distinguished from a proceeding in equity."<sup>43</sup> "All codes, rules, and regulations are for government authorities only, not human/Creators in accordance with God's laws. All codes, rules, and regulations are unconstitutional and lacking due process..."<sup>44</sup> "All laws, rules and practices which are repugnant to the Constitution are null and void."<sup>45</sup> "The common law is the real law, the Supreme Law of the land, the code, rules, regulations, policy and statutes are "not the law."<sup>46</sup>

"The general rule is that an unconstitutional statute, though having the form and name of law, is in reality no law, but is wholly void and ineffective for any purpose, since its unconstitutionality dates from the time of its enactment... In legal contemplation, it is as inoperative as if it had never been passed... Since an unconstitutional law is void, the general principles follow that it imposes no duties, confers no right, creates no office, bestows no power or authority on anyone, affords no protection and justifies no acts performed under it... A void act cannot be legally consistent with a valid one. An unconstitutional law cannot operate to supersede any existing law. Indeed insofar as a statute runs counter to the fundamental law of the land, (the Constitution) it is superseded thereby. No one is bound to obey an unconstitutional law and no courts are bound to enforce it."<sup>47</sup>

"The act of regulating; a rule or order prescribed for management or government; a regulating principle; a precept."<sup>48</sup> "Rule of order prescribed by superior or competent authority relating to action of those under its control."<sup>49</sup>

We the Sovereign People are not under the management or control of government agencies, to the contrary, "governments are instituted among Men, deriving their just powers from the consent of the governed."<sup>50</sup> We the People vested Congress with the authority to write regulations for (1) commerce, (2) military and (3) government. All

<sup>41</sup> Burrill.

<sup>42</sup> John F. Jelke Co. v. Hill, 208 Wis. 650, 242 N.W. 576, 581; Flournoy v. First Nat. Bank of Shreveport, 197 La. 1067, 3 So.2d 244, 248.

<sup>43</sup> Blacks 4th

<sup>44</sup> Rodriques v. Ray Donovan (U.S. Department of Labor) 769 F. 2d 1344, 1348 (1985).

<sup>45</sup> Marbury v. Madison, 5th US (2 Cranch) 137, 180.

<sup>46</sup> Self v. Rhay, 61 Wn (2d) 261.

<sup>47</sup> Bonnett v. Vallier, 116 N.W. 885, 136 Wis. 193 (1908); NORTON v. SHELBY COUNTY, 118 U.S. 425 (1886).

<sup>48</sup> Curless v. Watson, 180 Ind. 86, 102 N.E. 497, 499.

<sup>49</sup> State v. Miller, 33 N.M. 116, 263 P. 510, 513.

<sup>50</sup> Declaration of Independence.

180 federal agencies heads obviously have the authority to write regulations in order to manage  
and the President can alter these regulations by executive order. Regulations are just  
another word for policies and procedures.

**CONCLUSION:** We the Sovereign People have unalienable rights under the Laws of  
Natures God, a/k/a Common Law. We the People are not bound by statutes, codes or  
185 regulations. Congress has no authority to codify and license our rights and no court has the  
authority to enforce such repugnant statutes. Any judge restraining said rights is in bad  
behavior and will in due time suffer the wrath of the People through indictments and  
judgments in Courts of Justice.

190 SEAL

Dated April 17, 2017

  
Grand Jury Foreman

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